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16		
17		DISTRICT COURT
	UNITED STATES	DISTRICT COURT
18	NODTHEDN DICTOR	CT OF CALLEODNIA
10	NORTHERN DISTRI	CT OF CALIFORNIA
19	CAN ED ANCH	CCO DIVICION
20	SAN FRANCIS	SCO DIVISION
_		
21	IN RE GOOGLE PLAY STORE	Case No. 3:21-md-02981-JD
_	ANTITRUST LITIGATION	Case No. 3.21-ma-02/01-3D
22	THE THE STREET	
23	This Document Relates To:	DECLARATION OF KYLE W.
²³		MACH IN SUPPORT OF
24		DEFENDANTS' OPPOSITION TO MATCH PLAINTIFFS' MOTION
	Match Group, LLC et al. v. Google LLC et al., Case No. 3:22-cv-02746-JD	FOR PARTIAL SUMMARY
25	Case No. 5.22-cv-02/40-JD	JUDGMENT
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27		Judge: Hon. James Donato
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27 28 I, Kyle Mach, declare as follows:

- 1. I am an attorney duly admitted to practice law in the State of California and before this Court. I am a Partner at Munger, Tolles & Olson LLP, and represent the Defendants in this action. I submit this Declaration in support of Defendants' Opposition to Match Plaintiffs' Motion for Partial Summary Judgment. The contents of this declaration are based on my personal knowledge, including my personal knowledge of the documents cited herein. The facts set forth herein are within my personal knowledge and, if called as a witness, I could and would competently testify to them.
- 2. **Exhibit 1** is an excerpt of a true and correct copy of the deposition transcript of Gary Swidler, taken in this litigation on September 19, 2022.
- 3. **Exhibit 2** is a true and correct copy of the document produced by Google in this litigation bearing the Bates range GOOG-PLAY-009909081 to GOOG-PLAY-009909114.
- 4. **Exhibit 3** is a true and correct copy of the document produced by Google in this litigation bearing the Bates range GOOG-PLAY-000064735 to GOOG-PLAY-000064736.
- 5. **Exhibit 4** is an excerpt of a true and correct copy of the deposition transcript of Kirsten Rasanen, taken in this litigation on August 17, 2022.
- 6. **Exhibit 5** is an excerpt of a true and correct copy of the deposition transcript of Purnima Kochikar, taken in this litigation on August 31, 2022.
- 7. **Exhibit 6** is a true and correct copy of the document produced by Google in this litigation bearing the Bates range GOOG-PLAY-005955080 to GOOG-PLAY-005955081.
- 8. **Exhibit 7** is a true and correct copy of the document produced by Match in this litigation bearing the Bates range MATCHGOOGLE00080723 to MATCHGOOGLE00080725, introduced as DX931 in the October 14, 2022 deposition of Adrian Ong.
- 9. **Exhibit 8** is an excerpt of a true and correct copy of the deposition transcript of Steven Schwartz, taken in this litigation on March 28, 2023.
- 10. **Exhibit 9** is an excerpt of a true and correct copy of the deposition transcript of Brandon Barras, taken in this litigation on September 13, 2022.

- 11. **Exhibit 10** is a true and correct copy of the document produced by Google in this litigation bearing the Bates range GOOG-PLAY-009206383 to GOOG-PLAY-009206400.
- 12. **Exhibit 11** is an excerpt of a true and correct copy of the deposition transcript of Sarah Karam, taken in this litigation on September 28, 2022.
- 13. **Exhibit 12** is a true and correct copy of the document produced by Match in this litigation bearing the Bates range MATCHGOOGLE00087739 to MATCHGOOGLE00087740, introduced as DX928 in the October 14, 2022 deposition of Adrian Ong.
- 14. **Exhibit 13** is a true and correct copy of the document produced by Google in this litigation bearing the Bates range GOOG-PLAY-001214668 to GOOG-PLAY-001214679.
- 15. **Exhibit 14** is an excerpt of a true and correct copy of the deposition transcript of Sameer Samat taken in this litigation on November 8, 2022.
- 16. **Exhibit 15** is a true and correct copy of the document produced by Match in this litigation bearing the Bates range MATCHGOOGLE00053644 to MATCHGOOGLE00053648.
- 17. **Exhibit 16** is a true and correct copy of the document produced by Google in this litigation bearing the Bates range GOOG-PLAY-004684227 to GOOG-PLAY-004684239.
- 18. **Exhibit 17** is a true and correct copy of the document produced by Google in this litigation bearing the Bates range GOOG-PLAY-011456496 to GOOG-PLAY-011456499.
- 19. **Exhibit 18** is a true and correct copy of the document produced by Google in this litigation bearing the Bates range GOOG-PLAY-007759245 to GOOG-PLAY-007759270.
- 20. **Exhibit 19** is a true and correct copy of the document produced by Match in this litigation bearing the Bates range MATCHGOOGLE00054280 to MATCHGOOGLE00054281.
- 21. **Exhibit 20** is a true and correct copy of the document produced by Google in this litigation bearing the Bates range GOOG-PLAY-011456562 to GOOG-PLAY-011456571.
- 22. **Exhibit 21** is a true and correct copy of the document produced by Match in this litigation bearing the Bates number MATCHGOOGLE00022843.
- 23. **Exhibit 22** is a true and correct copy of the document produced by Google in this litigation bearing the Bates range GOOG-PLAY-011270112 to GOOG-PLAY-011270136.

1	24. Exhibit 23 is a true and correct copy of the document produced by Match in this	
2	litigation bearing the Bates range MATCHGOOGLE00105403 to MATCHGOOGLE00105424,	
3	introduced as DX774 in the September 19, 2022 deposition of Gary Swidler.	
4	25. Exhibit 24 is a true and correct copy of the document produced by Match in this	
5	litigation bearing the Bates range MATCHGOOGLE00025779 to MATCHGOOGLE00025784,	
6	introduced as DX938 in the October 28, 2022 deposition of AJ Cihla.	
7	26. Exhibit 25 is an excerpt of a true and correct copy of the deposition transcript of	
8	Ian Purves taken in this litigation on November 3, 2022.	
9	27. Exhibit 26 is a true and correct copy of the document produced by Match in this	
10	litigation bearing the Bates range MATCHGOOGLE00049070 to MATCHGOOGLE00049072,	
11	introduced as DX885 in the October 13, 2022 deposition of Sharmistha Dubey.	
12	28. Exhibit 27 is a true and correct copy of Understanding Google Play's Payments	
13	policy – Play Console Help, introduced as PX2640 in the October 28, 2022 deposition of Daniell	
14	Stein.	
15	29. Exhibit 28 is a true and correct copy of September 28, 2020 blog post by Sameer	
16	Samat entitled, Listening to Developer Feedback to Improve Google Play, introduced as PX2053	
17	in the September 28, 2022 deposition of Paul Perryman.	
18	I declare under penalty of perjury under the laws of the United States of America that the	
19	foregoing is true and correct.	
20	Executed this 18th day of May 2023, at San Francisco, California.	
21		
22	By: <u>/s/ Kyle W. Mach</u>	
23	Kyle W. Mach	
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